

# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 454**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 11, 2013

The Assembly Education Committee reports favorably Senate Bill No. 454 with committee amendments.

P.L.2001, c.364 (C.18A:36-34) provided that prior to a school district administering certain academic or nonacademic surveys, assessments, analyses, or evaluations to its students it was required to receive written informed consent from a student's parent or legal guardian. As amended, this bill modifies that provision of law to require that school districts obtain written consent only if students are required to complete the survey, assessment, analysis, or evaluation. Under the bill's provisions a student will be permitted to participate in a voluntary survey, assessment, analysis, or evaluation if the district sends prior written notification to the student's parent or guardian and if participating in the survey, assessment, analysis, or evaluation will not reveal information regarding a student's political affiliation, sexual behavior or attitudes, or social security number. The bill provides that the following information must be included in the notification: (1) a description of the survey, assessment, analysis, or evaluation; (2) the purpose for which the survey, assessment, analysis, or evaluation is needed; (3) entities and persons that will have access to the information generated by the survey, assessment, analysis, or evaluation; (4) specific instruction on when and where the survey, assessment, analysis, or evaluation will be available for review prior to its administration; (5) the method by which a parent or guardian can deny permission to administer the survey, assessment, analysis, or evaluation to the student; (6) the names of persons to whom questions can be directed; and (7) notification that failure to respond indicates approval of participation in the survey, assessment, analysis, or evaluation. The bill also stipulates that any information obtained through a survey administered to a public school student may not be used for marketing or other commercial purposes that are not related to education.

The committee amended the bill to specify that a student may not voluntarily participate in a survey, assessment, analysis, or evaluation that would reveal the student's political affiliation, sexual behavior or

attitudes, or social security number, and to stipulate that any information obtained through a survey administered to a public school student may not be used for marketing or other commercial purposes that are not related to education.

As amended and reported by committee, this bill is identical to Assembly Bill No. 2421, with Assembly committee amendments, which was also reported on the same date.